

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**IN RE:** )  
**ALISA MARIE LUDOLPH,** ) **Case No. 19-10047-SAH**  
 ) **Chapter 7**  
**Debtor(s).** )

**TRUSTEE'S MOTION TO TURN OVER PROPERTY OF THE ESTATE  
AND INCORPORATED BRIEF IN SUPPORT  
AND NOTICE OF OPPORTUNITY FOR HEARING**

COMES NOW, Lyle R. Nelson, Trustee, and hereby files his Motion directing the Debtor(s), Internal Revenue Service, Oklahoma Tax Commission and/or any party in possession of Estate property to turn over to the Trustee certain property. In support of his Motion, the Trustee would state as follows:

1. The Estate includes tax refunds. 11 U.S.C. Section 541(a). Title 11 U.S.C. Section 542(a) requires that any party holding Property of the Estate to turn over such Property to the Trustee. The Trustee has previously directed the Debtor(s) orally and in writing to turnover the 2018 federal tax refunds in the amount of \$4,932.00 and state tax refunds in the amount of \$742.00. The Trustee seeks an Order directing the Debtor(s) to turnover to the Trustee the 2018 tax refunds.

**BRIEF IN SUPPORT**

The property of the Estate includes the property referenced. Section 542 of the Code requires any party holding property of the Estate to turn that property over to the Trustee.

WHEREFORE, premises considered, the Trustee requests that the Court issue its Order consistent with the Trustee's request herein, and for such other and further relief as is just and appropriate.

**NOTICE OF OPPORTUNITY FOR HEARING**

**Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document.** If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, OK 73102 no later than 14 days from the date of filing of this request for relief. You should also serve a file stamped copy of your response or objection to the undersigned movant/movant's attorney [and others who are required to be served] and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice.

**The 14 day period includes the three (3) days allowed for mailing provided for in Bankruptcy Rule 9006(f).**

Respectfully submitted,

s/ Lyle R. Nelson

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Lyle R. Nelson, Trustee OBA#10914  
Two Leadership Square, Suite 1300  
211 N. Robinson  
Oklahoma City, OK 73102  
(405) 232-3722 Phone  
(405) 232-3746 Facsimile  
Email: lyle@lylenelsonlaw.com  
TRUSTEE

**CERTIFICATE OF SERVICE**

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I hereby certify that on the 9th day of April, 2019, a true and correct copy of the Motion to Turnover was electronically served upon the following using the Court's CM/ECF system:

U.S. Trustee

Attorney Patrick E. Moore

Further, I certify that on the 9th day of April, 2019, a true and correct copy of the Motion to Turnover was forwarded via U.S. Mail, first class postage prepaid and properly addressed, to the following at the addresses shown below:

Debtor

Alisa Marie Ludolph

1324 NW 81<sup>st</sup> St

Oklahoma City, OK 73114

Oklahoma Tax Commission

100 North Broadway Ave. Suite 1500

Oklahoma City, OK 73102

Internal Revenue Service  
Centralized Insolvency Operation  
PO Box 7346  
Philadelphia, PA 19101-7346

Internal Revenue Service  
55 N. Robinson  
Stop 5024 OKC  
Oklahoma City, OK 73102

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s/Lyle R. Nelson

Lyle R. Nelson